

**FLATHEAD COUNTY BOARD OF ADJUSTMENT  
MINUTES OF THE MEETING  
SEPTEMBER 6, 2022**

**CALL TO ORDER  
6:00 PM**

A meeting of the Flathead County Board of Adjustment was called to order at approximately 6:00 p.m. at the 2nd Floor Conference Room of the South Campus Building, 40 11th Street West, Suite 200, Kalispell, Montana. Board members present were Tom Davis, Cal Dyck, Roger Noble and Jim Dyon. Tobias Liechti had an excused absence. Erik Mack, Erin Appert, and Zachary Moon represented the Flathead County Planning & Zoning Office.

There were 17 members of the public in attendance at the meeting and 7 members of the public in attendance over Zoom.

**APPROVAL OF  
MINUTES  
6:00 PM**

Davis motioned, seconded by Dyon, to approve the August 2, 2022 minutes.

On a roll call vote the motion passed unanimously.

**PUBLIC COMMENT  
(Public matters that are  
within the jurisdiction of the  
Board 2-3-103 M.C.A)  
6:01 PM**

None

**BOARD DISCLOSURE  
OF ANY CONFLICT OF  
INTERESTS  
6:01 PM**

None

**OTTEN-ROYBAL  
(APPEAL 22-02)  
6:01 PM**

An appeal by Georgia G. Otten, Paul Roybal, and Foy's Grandview Estates, regarding the Zoning Administrator approval of an Administrative Conditional Use Permit (FACU-22-47) on June 2, 2022, for short-term rental housing. The property is located at 44 Roybals Way, Kalispell, MT within the Lower Side Zoning District and contains approximately 1.02 acres. The property is zoned *R-1 (Suburban Residential)* **The Board is hearing this agenda item again due to technical difficulties at the August 2, 2022 meeting, as people were unable to attend via zoom.**

**STAFF REPORT**  
**6:01 PM**

Erik Mack reviewed the Memo for Appeal-22-02 for the board.

**BOARD QUESTIONS**  
**6:04 PM**

Noble asked about the citations for the appeal process.

Mack clarified the administrative conditional use permit process and referenced Section 2.06.045 FCZR.

**APPELLANT  
PRESENTATION**  
**6:05 PM**

Randy Snyder, 8090 Highway 35, an attorney in Bigfork represented the appellants. He stated the written minutes from the previous meeting were in greater detail than any minutes he had ever read from any meeting he had ever attended. They are impressive and detailed and accurately quote, to his recollection, just about everything everybody said from beginning to end. He didn't see the point in repeating all of it again and stated that if the board had no objection to simply incorporating the minutes they had already approved, then he didn't need to say much else. What the board hung their hat on a month ago, was the fact that every other homeowner in this subdivision wrote a letter of objection and protest. No hearing was scheduled as is required by the regulations. That is why the board upheld the appeal. He named off the other issues with the short-term rental and commented that the fact of the matter was it was not referred to the board as the regulations require and that is why the board voted to uphold the appeal. He rested his case on that.

**PUBLIC COMMENT**  
**6:07 PM**

Heather Cooper, 44 Roybal's Way, spoke about the parking, access, the marina, and not allowing the use of the dock for renters. She commented that they have purchased a rider on their personal home insurance policy for the short-term rental and also purchased liability insurance through Vacasa, who is the property manager. They have doubled their coverage. She believed all the concerns were addressed. She spoke about other properties in the subdivision renting their homes. She spoke about adequate space and restricting the rental to eight (8) people they will not be occupied year around. They were issued the permit on June 3<sup>rd</sup> and sent out certified letters. They were not notified that an appeal had been filed until July 18<sup>th</sup> and did not rent the property once they were made aware of that. They have followed every step of the process and followed all the rules. She notified the HOA to let them know they had received approval for the short-term rental, and nobody from the HOA notified them that an appeal had been filed. They have been very responsible homeowners and have voluntarily communicated with the HOA. They hired a property management company to oversee the short-term rental. She spoke about the HOA meeting and harassment from the neighbors. She felt they have significantly overstepped their role. There are concerns in terms of fear that something bad could potentially happen as a result of them short-term renting. But what they are asking the board to do is take away their rights to rent their home out on a short-term basis because they are

fearful that something bad may happen. It is wrong to take away somebody's rights because some people are fearful. She commented that they have been incredibly open throughout the process and have no intention of the property being harmed or to hurt anyone.

Paul Roybal, 100 Roybal's Way, spoke about the history of the property and stated he was the original developer of Foy's Grandview Estates. They have also purchased the 20 acres to the north to protect the investment of the 8 homeowners in the subdivision. He stated that after the application was submitted and they appealed, every renter created a nuisance, and he gave examples. He said they had a peaceful subdivision until the Coopers applied for this application. He spoke about the cabin on the property being rented long term. He also spoke about the intent of the covenants that were written 20 years ago. He spoke about a special HOA meeting and the new home being built that intends to participate in this reckless activity. He spoke about the liability of the 8 homeowners and about his daughter witnessing some of the behavior of the renters.

Georgia Otten, 150 Roybal's Way, wanted to reiterate everything she said at the last meeting. She stated that liability is not about fear. She spoke about the Coopers purchasing liability insurance for themselves, but all the homeowners are liable.

**BOARD QUESTIONS**  
**6:24 PM**

None

**APPLICANT REBUTTAL**  
**6:24 PM**

None

**STAFF REBUTTAL**  
**6:24 PM**

None

**BOARD QUESTIONS**  
**6:25 PM**

Davis asked staff to clarify the timing of everything.

Mack gave more detail about the timeline of the process.

Davis felt it was the same property, same problem, but he felt they knew a little more information than they did last month. The root of the matter is that it is a CCR issue, and not so much a county issue. He commented that the community, or the HOA, is under the impression that the CCR's are being violated, but that is

something that would be found out through litigation against the homeowner. For him, there was some gray area, but he felt there was some light shed on some of the issues.

Noble said his analysis hadn't changed because he goes back to the rules. Specifically, Section 2.06.045 (4) and (5). They followed the rules, or regulations, to a tee. The appellants had to demonstrate how they would be adversely or injuriously affected by the issuance of the permit. He spoke about the previous meeting and stated that he felt Erik did his job, the process worked, and he felt there was adequate testimony that showed that the permit should be revoked. He commented that they don't care about covenants. They had to meet the criteria for the conditional use permit and there is always the option to rent long term. He stands on the board's previous decision.

Dyon said he didn't have a whole lot; he wasn't in attendance at the last meeting.

Noble stated that Dyon could recuse himself.

Mack said that since we are redoing the whole thing, he would be fine to vote.

Davis asked for clarification regarding whether the applicants are able to reapply in the future.

Mack said that if a conditional use permit is denied, they could reapply in a year and he felt this is similar to that so they would have to wait a year.

Dyck said they have the option to long term rent.

Davis agreed with Noble stating the applicants checked all their boxes and the county did their job. The appellants also checked all their boxes. So, even though there is this new information that comes to light as far as upholding or revoking the short-term rental permit, he felt with the standards in place for the appeal process, and that they are being followed, the board has to follow it.

**MAIN MOTION TO  
UPHOLD THE APPEAL  
(APPEAL 22-02)  
6:34 PM**

Davis made a motion, seconded by Noble, to uphold  
Appeal-22-02

**ROLL CALL TO  
UPHOLD THE APPEAL  
(APPEAL-22-02)  
6:34 PM**

On a roll call vote, the motion passed unanimously.

**C HOLDINGS, LLC  
(FCU-22-03)**

A request from C Holdings, LLC for a conditional use permit for a ‘new structure with a gross floor area of ten thousand (10,000) square feet or greater’ to allow for a warehouse with a gross floor area of approximately 45,000 square feet on property located at 3905 Highway 40 West, near Columbia Falls. The property contains approximately 6 acres that is located within the Rural Whitefish Zoning District and is zoned BS (Business Service) and SC (Scenic Corridor.) The property can legally be described as Lot 4 of LSL Subdivision in Section 9, Township 30 North, Range 21 West, P.M.M., Flathead County, Montana.

**STAFF REPORT  
6:35 PM**

Erin Appert reviewed Staff Report FCU-22-03 for the Board.

**BOARD QUESTIONS  
6:37 PM**

None

**APPLICANT  
PRESENTATION  
6:37 PM**

Sean Frampton, an attorney in Whitefish, spoke on behalf of the applicants. He stated the business is for ecommerce sales of heating repair parts such as woodstoves, fireplaces, and pellet stoves. They are the largest parts store in North America. The warehouse would house all the inventory prior to shipping. They have outgrown the old warehouse. They average about 30 employees and will add 10 new employees and they agree with the staff report.

**BOARD QUESTIONS  
6:38 PM**

None

**PUBLIC COMMENT  
6:39 PM**

None

**APPLICANT REBUTTAL  
6:39 PM**

None

**STAFF REBUTTAL  
6:39 PM**

None

**BOARD DISCUSSION  
6:40 PM**

Noble stated he was in support as it has all favorable findings of fact. He wanted to add condition #16 for the Montana Department of Transportation.

Davis agreed with Noble. He felt it checked a lot of the boxes as far as useable space and parking, and felt it was a reasonable use for the neighborhood that it’s

in. He asked that the applicant be sure to survey the building location. He would support the proposal.

**MAIN MOTION TO  
ADOPT F.O.F  
(FCU-22-03)  
6:41 PM**

Noble made a motion seconded by Davis to adopt Staff Report FCU-22-03 as findings-of-fact.

**ROLL CALL TO ADOPT  
F.O.F  
(FCU-22-03)  
6:42 PM**

On a roll call vote the motion passed unanimously.

**MOTION TO ADD  
CONDITION #16  
(FCU-22-03)  
6:42 PM**

Dyon made a motion seconded by Noble to add condition #16 to read:

*16. The proposed use shall be reviewed by the Montana Department of Transportation to obtain an updated approach permit, as applicable. A copy of the approved permit shall be submitted to Flathead County Planning and Zoning prior to the expiration date of this permit.*

**ROLL CALL TO ADD  
CONDITION #16  
(FCU-22-03)  
6:42 PM**

On a roll call vote the motion passed unanimously.

**MAIN MOTION TO  
APPROVE  
(FCU-22-03)  
6:43 PM**

Davis made a motion seconded by Dyck to approve FCU-22-03.

**ROLL CALL TO  
APPROVE  
(FCU-22-03)  
6:43 PM**

On a roll call vote the motion passed unanimously.

**NICK ERICKSON  
(FCU-22-11)  
6:43 PM**

A request from Nick Erickson for a Conditional Use Permit for a 'Home Occupation' on property located at 507 Solberg Drive, Kalispell, MT. The property is located within the Evergreen Zoning District and is zoned R-2 (One-Family Limited Residential). The total acreage involved in the request is approximately 2.97 acres that can legally be described as Lot 38A of Hoiland Day Acres in Section 34, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana.

**STAFF REPORT  
(FCU-22-11)  
6:43 PM**

Erin Appert reviewed Staff Report FCU-22-11 for the Board.

**BOARD QUESTIONS  
6:45 PM**

Davis asked about the notices of violation.

Appert clarified.

Davis asked about the violation process.

Mack clarified.

**APPLICANT  
PRESENTATION  
6:47 PM**

Nick Erickson, 507 Solberg Drive, spoke about the original submission for a conditional use permit that he cancelled, and stated it was a misunderstanding on his part. He said he had spoken to Rob at Evergreen Water and Sewer and didn't go back to establish another conditional use permit; he just came into compliance with Evergreen Water and Sewer. He spoke about that at length. A complaint was filed about signage which he fixed immediately. He did not get a response from the planning office, so he continued to operate because he didn't get any letters. He was moving to comply but the failure from the planning staff made him feel like he was able to continue operating his business. He said the business is a take-out place he does not have a sit-down area except for a four top, and they've only had two couples sitting there. The wait time is no longer than 10 minutes. There is no congested parking or large amount of people there at once. He read a letter he wrote to staff.

**BOARD QUESTIONS  
6:55 PM**

Davis asked Erickson to expand a little more about the business. How many guests or pizzas does he make.

Erickson said there is an average of approximately 15 pizzas per day. His busy time is from 4:00 pm to 8:00 pm and he spoke about his hours of operation.

Dyck asked him if he runs it by himself or does he have any employees that are not family members.

Erickson said he runs it by himself. Occasionally, his wife helps. He expanded on that and said he is looking to purchase a lease agreement, in the near future, and just use his building for food preparation with no customers coming to the property.



**PUBLIC COMMENT**  
**6:59 PM**

Russell Miller, 510 Solberg Dr, lives across the street. He gave a history of the neighborhood and stated the property has gone from very old to what it is now. Mr. Erickson has expanded, refurbished, and remodeled. He got rid of old two-story chicken coops and outbuildings, and the property looks very nice. As far as traffic, it's nonexistent and the people are only there for a few minutes. He didn't see any road or traffic problems. He spoke about the set-up of the property. It's been a plus, Mr. Erickson buying the place, and he felt it was unobtrusive. He likes the pizza. He spoke about businesses in the Evergreen area and the properties that are being well cared for.

**APPLICANT REBUTTAL**    None  
**7:04 PM**

**STAFF REBUTTAL**        None  
**7:04 PM**

**BOARD DISCUSSION**  
**7:04 PM**

Noble asked staff about the parking.

Mack said people can park there, but the applicant needs to provide the appropriate number of off-street parking spaces.

Dyon asked where exactly they could park.

Appert and Mack clarified.

Solberg is the front of the house.

The board and staff discussed the parking requirement.

Noble commented that this is such a limited impact, and he understands the rules, but based on the traffic count he provided, the traffic circulation would be adequate, so it comes down to the parking.

Davis had a few concerns. He appreciated the entrepreneurial spirit of take-out pizza, but he was concerned about the scope of the business. He stated the business could grow and push that boundary. He also spoke about the history of violations. The business could potentially change the neighborhood character.

Dyon agreed with Davis.



Noble said there may have been some confusion about the violation and Mr. Erickson's understanding of the process. He commented about the other agencies Mr. Erickson is in compliance with.

Dyck said he may potentially be moving it in a year or so. He also commented about the parking.

Mack said there isn't a drain field on the property so theoretically, he should be able to park back there. He could demonstrate there's room back there where people could park.

Miller spoke about the layout of the property and where people could park.

Mack talked about the front yard vs side yard.

Davis said he didn't believe it was just a question of making the parking work, he wondered at what point does a home occupation become more of a commercial business.

Dyck said a home occupation is based on how many trips to that facility. Once you reach the maximum of that, then he would have no recourse but to move it. He spoke of the applicant possibly moving the business and just doing prep work there, he can grow it but at a certain point it's no longer viable. He will be forced to move. Home occupancy can only be family members and only one other non-family member. He read the 'Home Occupation' section of the FCZR.

Mack said the FCZR state in the performance standards that they have to provide off street parking.

The board and staff discussed the parking at length.

Erickson gave an example of a piece of property and asked what would be considered the side yard.

Mack read the definition of a side-yard.

Erickson stated there was a spot behind the garage and he could take away the patio dining so there would be a parking area for two cars. He also mentioned they could park in his garage. If the hang up is the parking, he would make it work. He mentioned a spot behind his house. He has 2.97 acres and can accommodate parking. He mentioned the Road Department didn't have any comments.

Dyck said if he can satisfy the planning department that he does have off-street parking, that would solve that.

Mack said they could add a condition that he would need to get a new approach permit from the road and bridge department for the new access and then provide the adequate parking spaces.

Erickson asked why they were restricting the driveway.

Dyck clarified.

Noble asked staff if the behind the house parking can be accessed from Solberg Drive and how many parking spaces he needed to provide.

Appert clarified and stated how many spaces they would need. She gave an example.

Erickson said the area north of the driveway is 40 feet by 12 feet. He pointed it out on the drawing.

The board members discussed changing finding-of-fact #4 to reflect the parking area behind the pizza shop as being adequate.

Davis wanted to add condition #16 stating there would be no outdoor dining. He also stated that given the history of zoning violations, did the board want to add anything to address that, such as a response in a certain period of time.

Mack said we give the applicant a year to comply and then inspect to make sure they met all their conditions.

The board discussed the timeline for the applicant to comply with all the conditions.

Dyck asked the board if they were okay with changing condition #13 the hours of operation from 11:00 AM to 10:00 PM.

**MOTION TO ADOPT  
THE F.O.F  
7:38 PM**

Noble made a motion seconded by Dyck to adopt Staff Report FCU-22-11 as findings-of-fact as amended.

**BOARD DISCUSSION  
7:38 PM**

None

**ROLL CALL TO ADOPT  
THE F.O.F  
7:38 PM**

On a roll call vote the motion passed unanimously.

**MOTION TO APPROVE  
(FCU-22-11)  
7:38 PM**

Dyck motioned seconded by Noble to approve FCU-22-11.

**BOARD DISCUSSION  
7:38 PM**

None

**ROLL CALL TO  
APPROVE  
(FCU-22-03)  
7:38 PM**

On a roll call vote the motion passed unanimously.

**STEPHEN FISHER  
(FACU-22-74)  
7:40 PM**

A request from Stephen E. Fisher, for the establishment of '*Short-term Rental Housing*' on property located within the Lower Side Zoning District. The property is located at 354 Orchard Ridge Road, Kalispell, MT and is zoned SAG-5 (*Suburban Agricultural*). Per Section 2.06.045(5) of the Flathead County Zoning Regulations (FCZR), if written opposition from adjacent property owners was received prior to the end of the comment period and the expressed concerns of opposition cannot be resolved by the applicant or by conditions of approval, the Flathead County Board of Adjustment is required to review the request. The property contains approximately 5.39 acres that can legally be described as Tracts 3AFA, 5AAC, 5A, and 5CD in Section 31, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana.

**STAFF PRESENTATION  
(FACU-22-74)  
7:40 PM**

Zachary Moon reviewed Staff Report FACU-22-74 for the Board.

**BOARD QUESTIONS  
7:42 PM**

Dyck asked staff to explain the utility box that five people use.

Moon clarified.

**APPLICANT  
PRESENTATION  
7:44 PM**

Stephen Fisher stated his purpose tonight was to meet all of the board's requirements. He empathized with the neighbors' concerns and stated he would do extensive screening for all renters. This would not be a full-time short-term rental; he plans on moving to the place in approximately two years. He has a property manager that would be available 24/7 to address any concerns. There is a lot of speculation, and he would like the opportunity to go forward. He doesn't want anyone to stay at his place if they were going to create problems. It's too much of an investment for him. He will continue to reach out to the neighbors to help solve any problems.

None

**BOARD QUESTIONS  
7:47 PM**

**PUBLIC COMMENT  
7:47 PM**

Terry Hash, council for some of the neighbors in Orchard Ridge Development, commented that she did in fact reach out to the applicant and did not receive a response. She spoke about the letters of opposition that were sent and stated she was going to limit her comments to the staff report. She spoke about the character of the neighborhood, it's SAG-5, which is to provide for estate type residential. The people always anticipated single family homes. Under the existing land use, the staff report acknowledges there are existing CCR's, but the staff report fails to note the CCR's, which were enacted and filed in 1976, specifically prohibit any structure at any time being used for business or any other commercial whatsoever. She spoke at length about the CCR's. She also spoke to the fact that any time a person sells or provides a service for money, it's commercial. Some of the comment letters pointed out the problem of it being a shared well. The fees for the well are allocated among the shared families based on either the number of families or the number of residences, and it presents a real mess. The conditions do not address that whatsoever. She said the septic is over 40 years old. Her concern was that it would put an unlikely burden on the system and there is nothing in the conditions that would provide for annual pumping or anything else. She asked if the board could limit the use of short-term rental to 2 years since Mr. Fisher indicated he would be moving to the area at that time.

Al Otto, 400 Orchard Ridge Rd., spoke in opposition of the application. He was concerned about the private road and saw no reason for commercial use to be on their private road. He also spoke about the area being residential. The Fisher property is located closer to Foys Canyon Rd, and he felt like VRBO's were residential killers. He was concerned about the fire danger in the area and setting a precedence.

Orrin Webber, 460 Orchard Ridge Rd., spoke in opposition of the application. He spoke about the CCR's and commented that the planning office doesn't care about the covenants, but the judge does. He believes in rules and character of people. He stated every adjoining property owner opposed it. ADU's are allowed.

Peter Saunders, 1084 Adrienne Lane, spoke in opposition of the application. He stated Orchard Ridge doesn't have sidewalks it's a great owner-occupied community. The well is a shared well that's been there for 40 to 50 years. He also spoke about the septic being 48 years old. He pointed out the access to the property and stated it was a single lane dirt track. He spoke about the property manager being Mr. Fishers son and reiterated the CCR's prohibit businesses. He asked the board to deny the application.

Al Olszewski, 377 Orchard Lane, spoke in opposition of the application. He commented that he had not heard from Mr. Fisher. He respects the CCR's and opposes the application because there have been no mitigation efforts for the single lane dirt road and no mitigation for the Browns Meadow Water Users Association. It is a common well with a common meter. He pointed out the neighboring property that is currently building and spoke about well contamination. He would also like mitigation for noxious weeds.

Rory Stevens, 455 Orchard Ridge Road, spoke in opposition of the application. He was concerned about other VRBO's coming in, crime, and the issue with the well. He spoke about it being a commercial business and the CCR's.

Scott Jahnke, 75 Wolf Trail, spoke in opposition of the application. He spoke about the covenants and setting a precedent.

Margaret Schenck, 365 Orchard Ridge Rd., spoke in opposition of the application. She was concerned about traffic.

Pamela Haglund, 375 Orchard Ridge Road, spoke in opposition of the application. She agreed with other speakers.

Tom Podraza, 335 Orchard Ridge spoke in opposition of the application.

Larry Ramage, 351 Orchard Ridge Rd., spoke in opposition of the application.

Eric & Julie Ann Anderson, 357 Orchard Ridge Rd., spoke in opposition of the application.

Susan McEwan, 411 Orchard Ridge Road, spoke in opposition of the application.

**APPLICANT REBUTTAL**  
**8:24 PM**

Fisher stated he empathized with their feelings and reiterated that he planned to live there and be part of their community so he will make sure the neighbors are pleased with what goes on.

**STAFF REBUTTAL**  
**8:26 PM**

None

**BOARD DISCUSSION**  
**8:27 PM**

Davis commented that short-term rentals are one of the things the board dreads dealing with the most. He spoke about the board and the county actively working on trying to tighten up the regulations. Nearly every meeting they have one of these come before them that the community rallies against. They could argue that short-term rentals are good and bad, and they impact the neighborhood. He spoke about CCR's and the fact that the board can't enforce those. He looks at the process for the short-term rental and it appears that the applicant checks all the boxes and meets all the conditions. It might not be something the community likes but he did meet those conditions in his opinion. There is a process to appeal the board's decision. He didn't see where the applicant didn't do their part for the short-term rental. If the board moves forward with approving it, there are some conditions that he would like to add. Generally speaking, he doesn't have an issue with the conditional use permit.

Noble asked staff to clarify why the house is on one tract of land but the application is under four tracts.

Moon clarified.

Mack said if the tracts convey together then we treat it as one lot.

Noble agreed with Davis about the staff report analyzing the application. He spoke to the CCR's and stated they can't enforce those. The property is zoned SAG-5 and he read the definition for that zone. He spoke to the concerns about safety on the roads, fire danger and the septic system. Because of the safety concerns he didn't feel the short-term rental was appropriate.

Dyon spoke to the concerns about the road and agreed with Noble.

Dyck spoke to the concerns about the well and felt it was a health and safety issue. He spoke about the single lane road being a concern for emergency services. The burden of proof had to be on the applicant, not on the board. The board had to look at the impact to the community. He didn't see a positive impact on the community. His concerns boiled down to safety. He stated that the board is trying to walk through short-term rentals as it's a new journey.

The board discussed changing findings-of-fact #4, #5, #6 and adding #8 to support a denial of the application.

**MAIN MOTION TO  
ADOPT F.O.F AS  
AMENDED  
8:49 PM**

Dyon made a motion seconded by Dyck to adopt Staff Report FACU-22-74 as Findings-of Fact as amended.

**BOARD DISCUSSION  
8:49 PM**

None

**ROLL CALL TO ADOPT  
F.O.F AS AMENDED  
8:49 PM**

On a roll call vote the motion passed 3-1 with Davis dissenting.

**MOTION TO DENY  
(FACU-22-74)  
8:50 PM**

Noble made a motion seconded by Dyon to deny Staff Report FACU-22-74.

**BOARD DISCUSSION  
8:50 PM**

None

**ROLL CALL TO  
APPROVE/DENY  
FACU-22-74  
8:50 PM**

On a roll call vote the motion passed 3-1 with Davis dissenting.

**OLD BUSINESS  
8:51 PM**

Mack talked about updating the section of the regulations regarding short-term rentals.

Dyck stated they need to make it fair and equitable for all.

The Board and staff discussed CCR's at length.

Davis said he is concerned about landowner rights and spoke about the appeal process.

Mack spoke to the concern about the appeal process and how the neighbors feel they are aggrieved.

Dyck spoke about landowners' rights when the community is against an application.




**NEW BUSINESS**  
**8:58 PM**

Mack stated Appert will be the acting director when he is out on extended leave.

**ADJOURNMENT**  
**9:00 PM**

The meeting was adjourned at approximately 9:00 pm on a motion by Noble. The next meeting will be held at 6:00 pm on October 4, 2022.

  
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Cal Dyck, Chairman

  
\_\_\_\_\_  
Mary Metzger, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED on October 4, 2022.